

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JAMES KEVIN RUPPERT,

Plaintiff,

vs.

No. CIV 09-138 MV/LFG

PHIL ARAGON,

Defendant.

**ORDER DENYING PLAINTIFF'S MOTION TO STOP DEFENDANTS FROM
INTERFERING WITH PLAINTIFF'S COMMUNICATION WITH COURT**

THIS MATTER comes before the Court on Plaintiff's "Motion for Court Order to Stop Defendants From Actively Interfering With Plaintiff's Attempts to Communicate with the Court." [Doc. 108]. Plaintiff James Kevin Ruppert ("Ruppert") states that "Defendants" confiscated his blank paper, which he intended to use to file documents with the Court. He asks that the Court order "Warden Bravo or his superiors" to stop interfering with his attempts to communicate with the Court.

The only Defendant in this case is Phil Aragon, and the Court cannot order Warden Bravo, or anyone other than Defendant Aragon, to take any action or refrain from taking any action. In addition, the exhibits submitted by Ruppert indicate that the stack of printer paper confiscated from him did not belong to him and is not sold in the prison commissary.

Ruppert is not required to use unlined printer paper for his court filings, and any confiscation of such paper does not constitute interference with his right to apply to the Court for redress. His motion is without merit.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Stop Defendants From Interfering with Plaintiff's Communication With the Court [Doc. 108] is denied.

Lorenzo F. Garcia
Lorenzo F. Garcia
United States Magistrate Judge